## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:12-CV-60-GCM

AUDREY CART	ΓER,	)	
	Plaintiff,	)	
		)	
vs.		)	ORDER
		)	
GREG SULLIVAN, et al,		)	
	Defendant.	)	
		)	

**THIS MATTER** is before the Court upon the Plaintiff's Motion to Proceed *in forma pauperis* filed February 2, 2012 [doc. 2].

Federal law requires that a Plaintiff in a civil action pay a filing fee in the amount of \$350.00, plus service fees and other costs. After reviewing the Plaintiff's Application, the Court concludes that the Plaintiff is unable to pay the filing fee.

Moreover, the court has reviewed the *pro se* Plaintiff's Complaint. It is clear to the court that the Plaintiff has failed to state a claim upon which relief can be granted. Therefore the Court will dismiss the Complaint.

## IT IS THEREFORE ORDERED THAT:

- 1) Plaintiff's application to proceed in forma pauperis is hereby GRANTED solely for the purpose of conducting a review on the merits of the civil action;
  - 2) The Clerk shall file this matter as a civil matter without the service of process; and
- 3) The Complaint is DISMISSED pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

Signed: February 8, 2012

Graham C. Mullen

United States District Judge